

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

Oct 22 2 11 PM '04

SA04CA0954 OG

IN RE COMMISSIONER'S  
SUBPOENA TO RACKSPACE  
MANAGED HOSTING

Case No.: \_\_\_\_\_

MOTION FOR ADMISSION *PRO HAC VICE*

TO THE HONORABLE JUDGE OF SAID COURT:

Comes now Lee Tien, applicant herein, and moves this Court to grant admission to the United States District Court for the Western District of Texas *pro hac vice* to represent the Electronic Frontier Foundation, Urbana-Champaign Independent Media Center Foundation, and Jeffrey Moe in this case, and would respectfully show the court as follows:

1. Applicant is an attorney and a member of the law firm the Electronic Frontier Foundation, with offices at 454 Shotwell Street, San Francisco, California 94110, telephone (415) 436-9333 x 102, facsimile (415) 436-9993.

2. Since December 1990, Applicant has been and presently is a member of and in good standing with the Bar of the State of California. Applicant's bar license number is 148216.

3. Applicant has been admitted to practice before the following courts: Fourth Circuit Court of Appeals; Ninth Circuit Court of Appeals; U.S. District Court, N.D. Cal.; U.S. District Court, D. N.J.; and the California State Courts.

4. Applicant is presently a member of good standing of the bars of the courts listed above.

5. Applicant has never been subject to grievance proceedings or involuntary removal proceedings while a member of the bar of any state or federal court.

1

6. Applicant has not been charged, arrested, or convicted of a criminal offense or offenses.

7. Applicant has read and is familiar with the Local Rules of the Western District of Texas and will comply with the standards of practice set out therein.

8. Applicant has co-counsel in this case who is admitted to practice before the United States District Court for the Western District of Texas: James A. Hemphill, Graves, Dougherty, Hearon & Moody, P.C., 401 Congress Avenue, Suite 2200, Austin, Texas 78701, telephone (512) 480-5600.

9. Should the Court grant applicant's motion, Applicant shall tender the amount of \$25.00 *pro hac vice* fee in compliance with Local rule AT-1(f)(1).

Wherefore, Applicant prays that this Court enter an order permitting the admission of Lee Tien to the Western District of Texas *pro hac vice* for this case only.

Respectfully submitted by,

A handwritten signature in black ink, appearing to read 'Lee Tien', is written over a horizontal line.

Lee Tien